

**RESPONSE UNDER 37 C.F.R. 1.116 - EXPEDITED
PROCEDURE - EXAMINING GROUP 1734**

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/701,149 Confirmation No.: 5498
Applicant(s): Gerlach
Filed: November 4, 2003
Art Unit: 1734
Examiner: Melvin C. Mayes
Title: METHOD AND DEVICE FOR PRODUCTION OF A NUMBER OF
LAMINATES

Docket No.: 047777/271178
Customer No.: 00826

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**AMENDMENT AFTER FINAL ACTION
PURSUANT TO 37 C.F.R. § 1.116**

Sir:

In response to the Final Office Action dated July 6, 2005, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims beginning on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

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Amendments to the Claims:

1. (Currently Amended) A method for continuously producing a laminate with at least one powder layer, comprising directing a first layer along a longitudinal direction to a second layer, applying a powder at least to the first layer continuously along the longitudinal direction, ~~and before arranging the second layer on the powder layer and the first layer, removing a portion of the continuously applied powder layer from the first layer, thereby producing powder layers that are separated from one another and which are arranged one after another in the longitudinal direction, applying a binder to the first layer in strips between the separated powder layers, and directing the second layer onto the powder layer and the first layer and forming a transversely extending seal between the first and second layers along the strips of binder.~~
2. (Cancelled)
3. (Previously Presented) The method of claim 1, wherein at least one binder feed device is used for applying to the first layer a first binder in the longitudinal direction for producing a longitudinal seal, and a second binder feed device is used for applying to the second layer a second binder for producing a transverse seal upon contact of the second layer with the first layer.
4. (Previously Presented) The method of claim 3, wherein, for the transverse seal, a longitudinal seal of the laminate is continuously produced.
5. (Currently Amended) The method of claim 1 ~~[[2]]~~, wherein the binder is arranged at least in part discontinuously.
6. (Currently Amended) The method of claim 1 ~~[[2]]~~, wherein at least one portion of the seal is mechanically produced, with the binder producing a mechanically acting bond between the first and the second layer.

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7. (Previously Presented) The method of claim 1, wherein an adhesive is applied at least in part to the second layer, which is subsequently supplied to the first layer carrying the powder layer.

8. (Previously Presented) The method of claim 7, including cutting the first layer and the second layer only after having totally sealed the powder layer.

9. (Previously Presented) The method of claim 8, wherein the individual, separated and sealed powder layers are deposited, and individual laminates are supplied to further processing.

10. (Previously Presented) The method of claim 8, wherein completely sealed and spaced powder layers are stored in a coherent manner and subsequently supplied to further processing, in which the sealed powder layers are separated from one another at least in part.

11. (Previously Presented) The method of claim 1, wherein, as an ingredient of the powder layer, at least one material is used that is in a position to influence at least a direct environment of the laminate.

12. (Previously Presented) The method of claim 1, wherein, as an ingredient of the powder layer, at least one absorbent material is used, and the laminate is produced as an absorbent sheet.

13. (Previously Presented) The method of claim 1, wherein, as an ingredient for the powder layer at least one odor-influencing material is used.

14. (Previously Presented) The method of claim 1, wherein, as an ingredient of the powder layer at least one detergent is used.

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15. (Previously Presented) The method of claim 1, wherein, with the powder layer, a material of a different geometric configuration is applied to the first layer.

16. (Withdrawn) Apparatus for continuously producing a laminate comprising at least one first feed device for supplying a first layer, a second feed device for supplying a second layer, and a powder feed device, for arranging at least one powder layer between the first layer and the second layer wherein a material removing device is arranged for removing powder in defined locations from the first layer before supplying the second layer to the first layer for producing interruptions along a length of the powder layer.

17. (Withdrawn) Apparatus for continuously producing a laminate comprising at least one first feed device for supplying a first layer, a second feed device for supplying a second layer, and a powder feed device for arranging at least one powder layer between the first layer and the second layer, wherein at least one crossbar is arranged on the first layer crosswise to the direction of movement for forming a boundary surface for the powder that is to be applied, with the crossbar being designed such that a surface on the first layer is kept free, so that the surface can subsequently form a part of a transverse seal of the laminate.

18. (Withdrawn) Apparatus for continuously producing a laminate, comprising a least one feed device for a first layer, a second feed device for a second layer, and a powder feed device, with the powder feed device arranging a powder on the first layer at least before the second feed device supplies the second layer to the first layer, wherein a binder feed device for producing a transverse seal is arranged relative the second feed device such that a binder can be applied to one side of the second layer, which is subsequently bonded to one side of the first layer, to which a powder layer has been applied.

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19. (Withdrawn) Apparatus of claim 16, wherein a depositing device is arranged downstream, which receives the individual or interconnected powder layers that are separated from one another by being totally sealed.

20. (Withdrawn) Apparatus of claim 16, additionally including detection means, which permit distinguishing sections of the laminate with and without a powder layer.

21. (Withdrawn) A laminate comprising at least one first layer, a second layer, and a powder layer which is arranged between the first layer and the second layer and including a longitudinal seal and a transverse seal that comprises at least in part a different binder than the longitudinal seal.

22. (Withdrawn) The laminate of claim 21, wherein one of said seals has a breaking strength greater than that of the other said seal.

23. (Withdrawn) The laminate of claim 21 which additionally includes a marking which defines a cutting line.

24. (Withdrawn) The laminate of claim 21 in the form of an absorbent pad or cloth.

25. (Withdrawn) The laminate of claim 21 in the form of a scented pad or cloth.

26. (Withdrawn) The laminate of claim 21 in the form of a detergent pad or cloth.

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REMARKS/ARGUMENTS

Reconsideration by the Examiner, entry of this Amendment and formal notification of the allowability of all claims as now presented are earnestly solicited in view of the above amendments and accompanying remarks.

Claim 1 has been amended to incorporate the substance of Claim 2, which has been cancelled. Consequently, no new issues are presented and therefore entry of this amendment is clearly appropriate.

The method according to Claim 1 provides for continuously producing a laminate with at least one powder layer. According to this method, a first layer is directed along a longitudinal direction to a second layer. A powder is applied at least to the first layer continuously along the longitudinal direction. Then a portion of the continuously applied powder layer is removed from the first layer, thereby producing powder layers that are separated from one another and arranged one after another in the longitudinal direction. A binder is applied to the first layer in strips between the separated powder layers. Then the second layer is directed onto the powder layer and the first layer and a transversely extending seal is formed between the first and second layers along the strips of binder.

Turning to the cited prior art, Applicant respectfully points out that the prior art relied upon by the Examiner, whether considered singly or in combination, does not teach or make obvious the combination of steps recited in Claim 1.

As recognized by the Examiner, the method of Smith U.S. Patent No. 3,682,738 produces a laminate by passing a fabric under a coater, applying a uniform coating of powdered material to the fabric, pressing the powdered material against the fabric only in desired patterned areas so as to cause the powdered material to adhere to the fabric only in those patterned areas, and then passing the fabric under a suction device which removes powdered material which has not been adhered to the fabric, thereby forming patterned areas of powdered material on the fabric. The Smith patent does not anticipate or render obvious the claimed method which involves applying binder to a first layer in strips between already separated powder layers, and subsequently forming transversely extending seals between a first and second layer. Therefore, the rejection based upon the Smith patent should be withdrawn.

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Pedigrew U.S. Patent No. 4,675,209 describes a method which includes the steps of dispensing a melt adhesive film onto precisely defined areas of a substrate, covering these areas with a powdered absorbent material, and then removing excess absorbent material which did not adhere to the adhesive coated areas. This reference fails to teach or suggest the method claimed by Applicant which involves applying a powder continuously along the longitudinal direction, removing a portion of the continuously applied powder, and then applying a binder between the separated powder layers. Accordingly, the obviousness rejection based upon Pedigrew should be withdrawn.

Pedigrew was relied upon in combination with Heath et al. U.S. Patent No. 5,494,622 in rejecting Claims 2-10 as obvious. According to the Heath invention, high absorbency particulate material 28 is deposited on a carrier layer 26 in the form of discrete pocket regions 24. Then, as best seen in Figure 9, adhesive is applied to a separate covering layer 72 in a predetermined pattern. Then the adhesive coated covering layer 72 is brought into contact with the carrier layer 26 to form a laminate. Thus, it should be evident that the Heath et al. reference also fails to teach or suggest the combination of method steps defined in Claim 1. Specifically, the Heath reference fails to teach or suggest applying powder to a first layer continuously along the longitudinal direction, removing a portion of the continuously applied powder layer, thereby producing powder layers that are separated from one another and arranged one after another in the longitudinal direction, and applying a binder to the first layer in strips between the separated powder layers.

Consequently, Heath does not anticipate or make obvious the invention defined in Claim 1. Furthermore, the combination of Heath et al. and Pedigrew would not arrive at the combination of method steps defined in Claim 1. Applying the teachings of Heath et al. to the Pedigrew reference would necessarily involve applying adhesive to a second layer (i.e. the covering layer 72) rather than to the same layer to which the powdered material has been applied. Accordingly, the rejection based upon the combination of Pedigrew and Heath et al. should be withdrawn.

Claims 13-15 stand rejected under 35 U.S.C. § 103 based upon the combination of Pedigrew and Erspamer et al. U.S. Patent Publication No. US2002/0013560. Erspamer discloses

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an absorbent core which comprises a vapor transmissive barrier. The barrier is incorporated with the lower surface of the absorbent layer, and the reference describes only using a latex emulsion. See paragraphs [0064] and [0065]. Erspamer does not teach or suggest providing powder material continuously on a first layer and then removing powder material before applying adhesive to the first layer.

Accordingly, the combination of Pedigrew and Erspamer would not arrive at the combination of method steps defined in Claim 1.

The remaining prior art documents of record, which have not been relied upon in a rejection, also fail to teach or suggest Applicant's claimed method.

WO 95/03019 discloses a method in which the particulate absorbent material is blended in advance with a bonding agent that can be activated by heat, or in an alternate embodiment the absorbent material and the bonding agent are deposited as two separate layers. Rollers are used for locally removing the absorbent material in selected locations and then the web passes through a station where heat is applied to activate the binder. There is no teaching or suggestion of the combination of method steps as defined in Claim 1.

Dependent Claims 3-15 are dependent directly or indirectly from Claim 1 and therefore also patentably distinguish over the prior art.

In view of the foregoing, favorable reconsideration by the Examiner and formal notification of the allowability of Claims 1 and 3-15 are solicited.

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It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

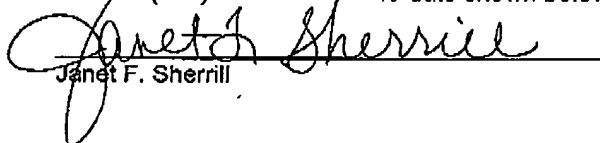


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I hereby certify that this paper is being facsimile transmitted to the U. S. Patent and Trademark Office at Fax No. (571) 273-8300 on the date shown below.


Janet F. Sherrill

October 21, 2005
Date

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